IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO: 3:05CV74

CYNTHIA J. KEMPISTY,)
d/b/a GAME ROOMS TO GO,)
d/b/a POOL TABLES PLUS,)
Plaintiffs)
vs.)) <u>ORDER</u>
BRUNSWICK BOWLING AND BILLIARDS CORPORATION, Defendant.)))
)

THIS MATTER IS BEFORE THE COURT on the Defendant's Motion to Withdraw Motion to Consolidate (Document No. 20), filed on April 7, 2006.

On May 10, 2005, the Defendant filed a "Motion to Consolidate or Dismiss Plaintiff's Complaint" (Document No. 4). The Defendant now seeks to withdraw that Motion. For good cause shown, the Court grants the Defendant's Motion without prejudice to re-file the Motion if future circumstances warrant consolidation.

IT IS, THEREFORE, ORDERED that the Defendant's Motion to Withdraw (Document No. 20) is hereby **GRANTED**. The Court directs the Clerk's office to remove the Defendant's "Motion to Consolidate or Dismiss Plaintiff's Complaint" (Document No. 4) from the Court's docket of pending motions.

Signed: April 10, 2006

David C. Keesler

United States Magistrate Judge